

# Human Rights Commission

Analyst: Castro

## Historical Summary

<b>OPERATING BUDGET</b>	<b>FY 2005 Total App</b>	<b>FY 2005 Actual</b>	<b>FY 2006 Approp</b>	<b>FY 2007 Request</b>	<b>FY 2007 Gov Rec</b>
<b>BY FUND CATEGORY</b>					
General	598,100	596,000	610,000	682,800	672,000
Dedicated	6,700	3,300	23,900	6,800	6,800
Federal	198,700	184,500	216,400	227,000	224,800
<b>Total:</b>	<b>803,500</b>	<b>783,800</b>	<b>850,300</b>	<b>916,600</b>	<b>903,600</b>
Percent Change:		(2.5%)	8.5%	7.8%	6.3%
<b>BY OBJECT OF EXPENDITURE</b>					
Personnel Costs	621,200	614,700	654,700	647,700	634,700
Operating Expenditures	180,700	167,600	195,600	268,900	268,900
Capital Outlay	1,600	1,500	0	0	0
<b>Total:</b>	<b>803,500</b>	<b>783,800</b>	<b>850,300</b>	<b>916,600</b>	<b>903,600</b>
Full-Time Positions (FTP)	11.00	11.00	11.00	11.00	11.00

## Division Description

The Human Rights Commission is statutorily charged with the enforcement of the Idaho Human Rights Act, which prohibits discrimination in education, employment, real estate transactions, and public accommodations based on race, color, religion, national origin, and sex. In employment, housing, and public accommodations, the commission handles disability discrimination claims. Claims of age discrimination, for those who are 40 years of age or older, are processed only in employment cases. The commission is also charged with enforcing Idaho Code §44-1701 et seq. which prohibits employers from paying different wages for comparable work solely on the basis of gender.

Enforcement of the aforementioned statutes is accomplished through education, by processing the administrative complaints of alleged discrimination filed by those who claim to be victims, and by litigating on behalf of aggrieved parties when the commission determines such action to be appropriate.

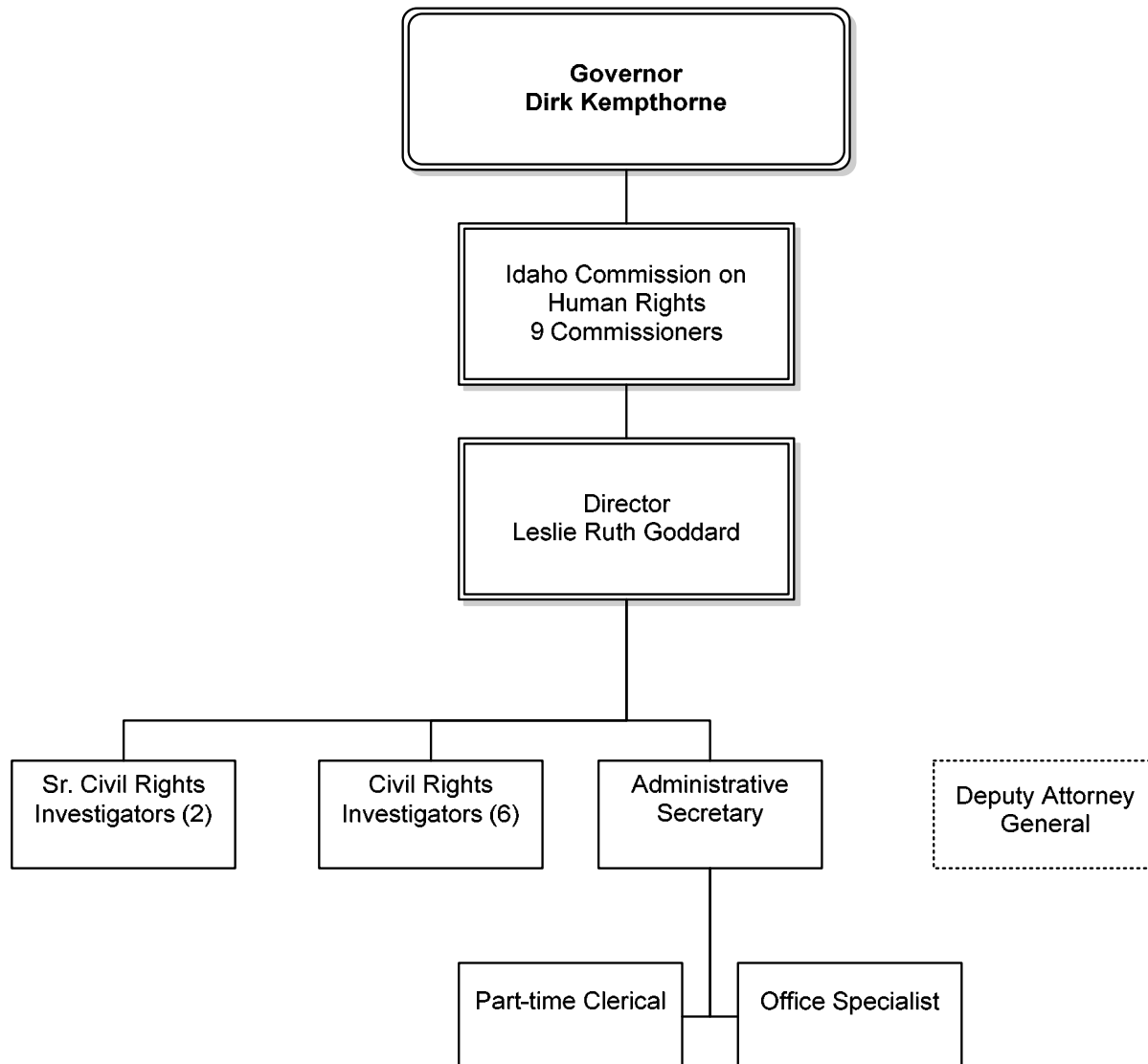
The commission also has a contract with the federal Equal Employment Opportunity Commission to handle administrative cases arising in Idaho, which allege violations of three federal laws prohibiting discrimination in employment (Title VII of the 1964 Civil Rights Act, Age Discrimination in Employment Act, and Americans with Disabilities Act). The Human Rights Commission may file court cases alleging violations of federal law under appropriate circumstances.

[Statutory Authority: Idaho Code §67-5901 et seq.]

# Commission on Human Rights

## Agency Profile

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### Sources of Funds

	Appropriations		
	FY 2005 Original	FY 2005 Actual	FY 2006 Original*
<b>General Funds (0001):</b> Individual income tax, corporate income tax, sales tax, cigarette tax, beer tax, wine tax, liquor surcharge, kilowatt hour tax, mine license tax, Treasurer's interest on investments of certain idle state funds, court fees and fines, insurance premium tax, sale of alcoholic beverage licenses, unclaimed property, articles of incorporation and uniform commercial code filing fees, estate and transfer tax, and other miscellaneous sources from various agency receipts.	\$598,100	\$596,000	\$627,200
<b>Federal Grant (0348):</b> Federal funds from federal contracts authorized under Title VII of the Civil Rights Act of 1964, the Age Discrimination Employment Act, and Title I of the Americans With Disabilities Act. The federal administering agency for these funds is the Equal Employment Opportunity	\$198,700	\$184,500	\$216,400
<b>Miscellaneous Revenue (0349):</b> Receipts are from miscellaneous non-governmental sources such as copy costs for reproducing case files for parties.	\$6,700	\$3,300	\$6,700
	<u>\$803,500</u>	<u>\$783,800</u>	<u>\$850,300</u>

\*\$17,200 is included in General Funds for 27th payroll; however, the HRC 27th payroll was actually appropriated one-time from Economic Recovery Reserve Fund. \$3,800 in federal funds is included for 27th payroll.

### Selected Measures

Fiscal Year	FY 2002	FY 2003	FY 2004	FY 2005
<b>Total Number of Discrimination Charges Filed</b>	483	579	520	532
<b>Frequency of issue raised in administrative cases</b>				
Discharge (actual or constructive)	66%	63%	63%	63%
Sexual Harassment	20%	25%	17%	20%
Race/National Origin Harassment	15%	20%	22%	30%
Failure to Accommodate (disability)	7%	11%	14%	14%

\* Percentages in each fiscal year add to more than 100% due to charges that are based on more than one discrimination issue, such as charges based on both age and race discrimination, or both gender and religion.

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## Comparative Summary

Decision Unit	Agency Request			Governor's Rec		
	FTP	General	Total	FTP	General	Total
<b>FY 2006 Original Appropriation</b>	<b>11.00</b>	<b>610,000</b>	<b>850,300</b>	<b>11.00</b>	<b>610,000</b>	<b>850,300</b>
HB 395 One-time 1% Salary Increase	0.00	4,300	5,200	0.00	4,300	5,200
Omnibus CEC Supplemental	0.00	0	0	0.00	5,000	6,200
<b>FY 2006 Total Appropriation</b>	<b>11.00</b>	<b>614,300</b>	<b>855,500</b>	<b>11.00</b>	<b>619,300</b>	<b>861,700</b>
Removal of One-Time Expenditures	0.00	(4,300)	(26,200)	0.00	(4,300)	(26,200)
<b>FY 2007 Base</b>	<b>11.00</b>	<b>610,000</b>	<b>829,300</b>	<b>11.00</b>	<b>615,000</b>	<b>835,500</b>
Benefit Costs	0.00	7,200	8,700	0.00	(12,200)	(14,900)
Inflationary Adjustments	0.00	1,700	3,700	0.00	1,700	3,700
Statewide Cost Allocation	0.00	59,600	59,600	0.00	59,600	59,600
Change in Employee Compensation	0.00	4,300	5,300	0.00	7,900	9,700
Investigation/Mediation Contracting	0.00	0	10,000	0.00	0	10,000
<b>FY 2007 Total</b>	<b>11.00</b>	<b>682,800</b>	<b>916,600</b>	<b>11.00</b>	<b>672,000</b>	<b>903,600</b>
Change from Original Appropriation	0.00	72,800	66,300	0.00	62,000	53,300
% Change from Original Appropriation		11.9%	7.8%		10.2%	6.3%

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
<b>FY 2006 Original Appropriation</b>	11.00	610,000	23,900	216,400	850,300

## HB 395 One-time 1% Salary Increase

Reflects a one-time 1% Change in Employee Compensation (CEC) increase.

Agency Request	0.00	4,300	0	900	5,200
Governor's Recommendation	0.00	4,300	0	900	5,200

## Omnibus CEC Supplemental

Agency Request	0.00	0	0	0	0
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The Governor's FY 2007 recommendation is a 3% ongoing increase in employee compensation (CEC), based on merit, to commence in FY 2006 with the January 29 pay period. This will allow agencies to fund employee compensation increases for ten pay periods prior to the end of the current fiscal year. Funding for the remaining 16 pay periods is provided in the FY 2007 CEC.

Governor's Recommendation	0.00	5,000	0	1,200	6,200
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<b>FY 2006 Total Appropriation</b>					
Agency Request	11.00	614,300	23,900	217,300	855,500
Governor's Recommendation	11.00	619,300	23,900	218,500	861,700

## Removal of One-Time Expenditures

Removes \$5,200 provided for HB395 and \$21,000 provided for 27th pay period.

Agency Request	0.00	(4,300)	(17,200)	(4,700)	(26,200)
Governor's Recommendation	0.00	(4,300)	(17,200)	(4,700)	(26,200)

<b>FY 2007 Base</b>					
Agency Request	11.00	610,000	6,700	212,600	829,300
Governor's Recommendation	11.00	615,000	6,700	213,800	835,500

## Benefit Costs

Includes the employer-paid portion of estimated changes in employee benefit costs. The two biggest factors are health insurance rates and retirement rates. Health insurance is projected to increase by 6.1% or \$436 per position. Retirement rates are scheduled to increase by 5.9% from 10.39% to 11% of salary for regular employees and by 5.7% from 10.73% to 11.34% of salary for police and firefighters. Other benefit changes include minor adjustments in unemployment insurance rates and workers compensation rates.

Agency Request	0.00	7,200	0	1,500	8,700
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Removes the PERSI rate increase and changes benefit costs to reflect a 3.5% or \$250 per FTP increase in health insurance costs. However, the change in health insurance providers, from Blue Shield to Blue Cross, has created a one-time opportunity to use unexpended reserves from the previous contract. This decision unit provides for a health insurance premium reduction equal to two month's premiums for both the employer and employee. Finally, a life insurance holiday is included equal to seven month's premium for the employer's share only.

Governor's Recommendation	0.00	(12,200)	0	(2,700)	(14,900)
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## Inflationary Adjustments

Includes a general inflationary increase of 1.9% in operating expenditures.

Agency Request	0.00	1,700	100	1,900	3,700
Governor's Recommendation	0.00	1,700	100	1,900	3,700

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
Statewide Cost Allocation					
The Statewide Cost Allocation Plan assesses state agencies for their actual use of Attorney General, State Controller and State Treasurer services and includes changes in property and casualty insurance premiums. This decision unit also includes changes in fees charged for legislative audits and changes in the cost of office space leased to state agencies by the Department of Administration.					
Agency Request	0.00	59,600	0	0	59,600
Governor's Recommendation	0.00	59,600	0	0	59,600
Change in Employee Compensation					
Calculated cost of a 1% salary increase for permanent and group positions.					
Agency Request	0.00	4,300	0	1,000	5,300
Provides funding for the remaining 16 pay periods to annualize the 3% ongoing change in employee compensation recommended in the omnibus CEC supplemental.					
Governor's Recommendation	0.00	7,900	0	1,800	9,700
Investigation/Mediation Contracting			Human Rights Commission		
This request of \$10,000 in operating expenses is to increase spending authority of federal funds that will allow the commission to contract with outside investigators or mediators to handle some cases. The goal would be to complete case processing more quickly.					
Agency Request	0.00	0	0	10,000	10,000
Governor's Recommendation	0.00	0	0	10,000	10,000
FY 2007 Total					
Agency Request	11.00	682,800	6,800	227,000	916,600
Governor's Recommendation	11.00	672,000	6,800	224,800	903,600
Agency Request					
Change from Original App	0.00	72,800	(17,100)	10,600	66,300
% Change from Original App	0.0%	11.9%	(71.5%)	4.9%	7.8%
Governor's Recommendation					
Change from Original App	0.00	62,000	(17,100)	8,400	53,300
% Change from Original App	0.0%	10.2%	(71.5%)	3.9%	6.3%